



STATE OF CONNECTICUT

MILITARY DEPARTMENT
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February 25, 2010

Honorable Andrew M. Maynard
Honorable Ted C. Graziani
Co-Chairs, Select Committee on Veterans' Affairs
Room 509A, Capitol
Hartford, CT 06106

Re:

Raised Bill No. 5259, "AAC the Military Facility Construction or Acquisition Program"
Raised Bill No. 5261, "AAC False Representation of Military Status"
Raised Bill No. 5264, "AAC the Duties of the Adjutant General"

I write to express the Military Department's support for the above noted bills. With the increasing use of members of Connecticut's Armed Forces, the state military requires meaningful legislation to ensure the efficient use of government resources to facilitate military service by our citizen Soldiers and Airmen and to conduct military operations. Connecticut leads the way in many areas to support our armed forces (e.g., the Military Family Relief Fund and the Military Support Program). However, many of the statutes which govern the military establishment of the state have not kept pace with the development of our armed forces over the past century. Many statutory sections in Title 27 of the General Statutes, especially in Chapter 504, "Militia," require extensive revision.

Raised Bill No. 5259 revises section 27-45, "purchase and construction of armories." This section provides the statutory framework for state military construction. The reporting provision of the statute requires the Military Department to publish the "Armory Construction and Purchase Program Report" (enclosed). The statute, however, uses obsolete military construction terminology, including the term "armory" for a military facility, a very limited and specific type of military structure. Today, state military construction encompasses many types of military structures, connoted under the general term "military facility." The revision of this section of law also reflects the Department of Public Works role as the agency responsible for the construction of state facilities, providing its commissioner the necessary authority to acquire property and build facilities for state military purposes.

Raised Bill No. 5261 revises Connecticut's "Stolen Valor Act," by including penalty for false representation of military rank. When passed in 2007, Connecticut's Stolen Valor Act, Public Act No. 07-128, strengthened the existing law concerning the unauthorized wear of military uniforms to include penalty for the false representation of entitlement to military medals and decorations. Connecticut modeled the 2007 statutory revision on the federal law (18 USC 704), which penalizes (as a federal misdemeanor offense) the unauthorized wear, manufacture, sale or claim (either written or oral) of any military decorations and medals. The misuse of military status, either by claiming medals or rank to which one is not entitled, is an offense that warrants local action. This bill will permit offenders to account for their offense locally, whether falsely representing their medals or military rank, discouraging the misrepresentation of military status.

Raised Bill No. 5264 revises section 27-20, "duties of the adjutant general." Connecticut revised this statutory section numerous times over the years. The General Statutes (Revision of 1875), title 10, Chapter IV, Section 1 (enclosed) provides the genesis of the modern statute, requiring the adjutant general to issue orders of the commander-in-chief (i.e., Governor) to the militia, keep a record of the proceedings of his office, to furnish state forms and regulations to militia units for state military activities, provide an annual report to the Governor, maintain a roster of militia members and to provide an annual report to the President of the United States on the state militia's arms accoutrements and ammunition. With the growth of the adjutant's general's statutory duties, the length of the statutory section has evolved into a run-on listing of duties without subsection. The current statute also uses language reflective of obsolete military practices.

Raised Bill No. 5264 divides the statutory section into coherent subsections, updates the language and clarifies the duties. The duties of the adjutant general remain largely unchanged under this revision. The primary exception is the language clarifying the authority of the adjutant general to authorize federal military construction on state military property with the approval of the attorney general (subsection g). This authority permits the federal government to construct military facilities on state property with the proper approvals, aligning the state statutes with federal requirements. A recent example of such federal construction on state land is the Controlled Humidity Preservation (CHP) Project at Stones Ranch Military Reservation in East Lyme (see page 14, "Armory Construction and Purchase Program Report," January 1, 2009). The revision also requires state military regulations to be issued in accordance with chapter 54 of the General Statutes.

For the above reasons and on behalf of Connecticut's nearly 5,000 citizen soldiers and airmen, (approximately 1,200 of whom are currently mobilized and deployed for service in the Middle East and Southwest Asia) that I ask the Select Committee on Veterans' Affairs to take favorable action (Joint Favorable) on these bills and to work for their passage into law this legislative session.

Sincerely,


THADDEUS J. MARTIN
Major General
The Adjutant General

Enclosure:
Construction Rpt, 2010
1875 Statutes excerpt

Copy Furnished:
Chelsey Turner, Governor's Office

CHAPTER IV.

Duties of certain Officers.

SECTION

1. Adjutant general.
2. Quarter master general.
3. Surgeon general.
4. Commissary general.
5. Paymaster general.

SECTION

6. Bonds of quartermaster general, &c.
7. Regimental inspection.
8. Returns to be made to selectmen.
9. To the adjutant general.
10. Controller to draw orders.

1874.
Adjutant gen-
eral.

SEC. 1. The adjutant general shall issue all orders of the commander-in-chief to the militia, and shall keep a record of the proceedings of his office. The records of the brigade, and of each regiment, company, section, and band, shall be kept by its proper officers in such form as he shall prescribe; he shall also furnish, at the expense of the State, all proper blank books, blanks and forms, and such military instruction books, as the commander-in-chief shall approve; and annually report to the commander-in-chief the condition of the National Guard, with a roster of all the commissioned officers, and such other matters relating to the militia as he may deem expedient; and on or before the first Monday in January, annually, make a return of the militia of the State, their arms, accoutrements, and ammunition, to the President of the United States.

Quartermaster
general.

SEC. 2. The quartermaster general shall take care of all public property belonging to his department, and annually report to the General Assembly, on the first week of its session, a complete inventory of such property and the places where it is deposited, with a detailed account of all articles consumed or issued, and money expended in his department not previously reported. Two persons shall be annually appointed by the General Assem-